



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

FEB 17 2017

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Ms. Elizabeth Campos
3E Company
3207 Grey Hawk Court, Suite 200
Carlsbad, California 92010

Re: **NOTICE OF VIOLATION**
Costco Wholesale #10
EPA ID No. AKD 98307 5839

Dear Ms. Campos:

This Notice of Violation (NOV) is to inform Costco Wholesale and 3E Company of violations of the Resource Conservation and Recovery Act (RCRA) as amended. These violations were identified as a result of an inspection performed by the U.S. Environmental Protection Agency (EPA) on September 10, 2015, at Costco Wholesale #10, located at 330 West Dimond Boulevard, Anchorage, Alaska. The inspection was performed pursuant to the EPA's inspection authority under Section 3007 of RCRA, 42 U.S.C. § 6927.

From the observations made during the inspection, the following RCRA violations were identified at the facility:

Violation 1 - Failure to manage universal waste lamps to prevent releases

The regulation at 40 C.F.R. § 273.13(d)(1) requires that universal waste lamps be managed in a way that prevents releases of any universal waste or component of a universal waste to the environment. Specifically, universal waste lamps must be contained in containers or packages that are structurally sound, remain closed, and lack evidence of damage.

During the inspection, there were three boxes of universal waste lamps that were not closed and three lamps that were not in a container. In addition, one of the boxes was damaged. Failure to manage universal waste lamps to prevent releases is a violation of 40 C.F.R. § 273.13(d)(1).

Prior to the inspector leaving the facility, an employee closed the three containers of universal waste lamps, put the three uncontained lamps into a closed container, and replaced the damaged box. Therefore, this violation has been corrected. These corrections were also described in a letter from the warehouse manager of Costco Wholesale #10 received by the EPA on September 13, 2015.

Violation 2 - Failure to label universal waste lamps

The regulation at 40 C.F.R. § 273.14(e) requires that each universal waste lamp or container of lamps be labeled or marked clearly with one of the following phrases: "Universal Waste Lamps," "Waste Lamps" or "Used Lamps."

During the inspection, there were three uncontained lamps that were not labeled as universal waste.

Prior to the inspector leaving the facility, an employee put the three uncontained lamps into a closed container and labeled the container as universal waste lamps. Therefore, this violation has been corrected. This correction was also described in a letter from the warehouse manager of Costco Wholesale #10 received by the EPA on September 13, 2015.

No Further Action Required

Costco Wholesale #10 addressed and corrected the violations during the inspection and sent documentation of those corrections to the EPA following the inspection. Therefore, no further action is necessary.

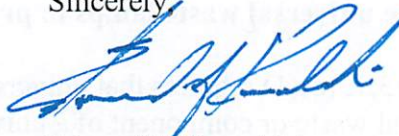
EPA Reservation of Rights

Notwithstanding this NOV or your response, EPA reserves the right to take any action pursuant to RCRA or any other applicable legal authority. Your response to this NOV does not constitute compliance with RCRA.

Nothing in this NOV or your response shall affect duties, obligations or responsibilities with respect to Costco Wholesale under local, state or federal law or regulation.

Thank you for your prompt attention to this important matter. If you have questions regarding this NOV, please contact Kristin McNeill of my staff at (206) 553-6291 or mceill.kristin@epa.gov.

Sincerely,



Edward J. Kowalski
Director

By email

cc: Mr. Bob Ripley
Costco Warehouse Manager